

Terminology

The references provided are from NEPA ([40 CFR 1500-1508](#)) and from NAO 216-6 ([NAO 216-6](#)), respectively.

DOCUMENTS

Categorical Exclusion (CE) (1508.4, 5.05)

A category of actions, established by Federal agencies, which do not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required. [A categorical exclusion decision document often is prepared to provide the basis for determination.]

For example, an Exempted Fishing Permit or grant award may qualify for a Categorical Exclusion.

Environmental Assessment (EA) (1508.9)

An EA briefly provides sufficient evidence and analysis for determining whether a Federal action will cause significant impacts. If significant impacts are generated, an Environmental Impact Statement must be prepared. When it is determined that there will be no significant impacts as a result of the proposed action, the EA, with the accompanying Finding of No Significant Impact (FONSI), fulfills the agency's compliance with NEPA. If it is determined that significant impacts (positive or negative) will be caused, and EA facilitates the preparation of an Environmental Impact Statement.

The EA must include:

- a brief discussion of the need for the proposal;
- alternatives as required by section 1502.2(E) ;
- environmental impacts of the proposed action and alternatives; and
- a list of agencies and persons consulted.

Environmental Document (1508.10)

Documents specified in Environmental Assessments, Environmental Impact Statements, Findings of No Significant Impact, and Notices of Intent.

Environmental Impact Statement (EIS) (1508.11)

A detailed written statement as required by Section 102(2)(C) of NEPA that evaluates the environmental impacts of appropriate Federal actions. A draft EIS fully evaluates the impacts of the action and reasonable alternatives; once it is

completed it must be filed with the Environmental Protection Agency (EPA) and be circulated for public comment for 45 days. A final EIS responds to comments, including any project changes. The final EIS must be filed with the EPA and requires a 30-day comment period.

An EIS will include the following components:

- Purpose and need for proposed action;
- Description of proposed alternatives, including a No Action alternative;
- Description of the affected environment;
- Description of the environmental consequences of the alternatives; and
- List of preparers.

Finding of No Significant Impact (FONSI) (1508.13)

A decision document that presents the reasons why an action will not have a significant effect on the human environment and for which an EIS therefore will not be prepared. It shall include the EA or a summary of it and shall note any other environmental documents related to it (sec. 1501.7(a)(5)). * If the EA is included, the FONSI need not repeat any of the discussion in the assessment but may incorporate it by reference.

Notice of Intent (NOI) (1508.21)

A Notice of Intent announces the agency's decision to prepare an EIS for a particular action and must be published in the Federal Register. The NOI will:

- Describe the action and possible alternatives;
- Describe the agency's scoping process, including whether, where and when scoping meetings will be held; and
- Identify a point of contact.

After publication of an NOI, the scoping process is initiated.

Record of Decision (ROD)

Following the final EIS, the agency will prepare a Record of Decision that should:

- State the decision;
- Identify the alternatives considered, and specify those that are environmentally preferable;
- State whether all practicable mitigation measures were adopted, and if not, explain why; and
- Commit to a monitoring and enforcement program to insure implementation of mitigation measures, if applicable.

Although the ROD is a public document, it does not require review.

OTHER DEFINITIONS

Lead Agency (1508.16)

The Lead agency is the agency or agencies preparing or having taken primary responsibility for preparing an EIS.

Scoping (1508.25)

Scope consists of the range of actions, alternatives, and impacts to be considered in an EIS. It is to be *“an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action.”* To determine the scope of an EIS, agencies consider:

- 3 types of actions – connected, cumulative, and similar;
- 3 types of alternatives – no action, other reasonable courses of action, and mitigation measures; and
- 3 types of impacts – direct, indirect, and cumulative.

Scoping starts when a Notice of Intent is published in the Federal Register. Scoping sets the boundaries (the scope) of the analysis and helps to identify information sources. The scoping process also helps focus alternatives and identifies issues to be addressed within the EIS. Both internal (i.e., the agency) and external (i.e., the public) input is included as part of the process.

Significance (1508.27, 4.01x)

A measure of the intensity and the context of effects of a major Federal action on, or the importance of that action to, the human environment. Context means that the impact(s) of an action must be analyzed within the framework of several approaches such as society as a whole (human, national), the affected region, the affected interests, and the locality. Intensity refers to the severity of the impact(s). “Significant” is a function of short-term, long-term, and cumulative impacts, both positive and negative, of an action on the environment. If the impacts of a proposed action are found to be “significant” under NEPA, the development of an EIS is triggered.

Affecting (1508.3)

Means will or may have an effect [or impact] on.

Effects (1508.7 and 1508.8, 4.01e)

- (a) **Direct effects**, which are caused by the action and occur at the same time and place.
- (b) **Indirect effects**, which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. The terms "effect" and "impact" are synonymous under NEPA. Effects include ecological, aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative.
- (c) **Cumulative effects**, which result from the incremental impact of an action when added to other past, present and reasonably foreseeable future actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Human Environment (1508.14, 4,01l)

Shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. This means that economic or social effects are not intended by themselves to require preparation of an EIS.

Major Federal Action (1508.18, 102(2)(C))

Includes actions with effects that may be major and which are potentially subject to Federal control and responsibility. Major reinforces but does not have a meaning independent of significantly. Federal actions tend to fall within one of the following categories:

- (1) Adoption of official policy, such as rules, regulations, and interpretations adopted pursuant to the Administrative Procedure Act, 5 U.S.C. 551 et seq.; treaties and international conventions or agreements; formal documents establishing an agency's policies which will result in or substantially alter agency programs.
- (2) Adoption of formal plans, such as official documents prepared or approved by Federal agencies that guide or prescribe alternative uses of Federal resources, upon which future agency actions will be based.
- (3) Adoption of programs, such as a group of concerted actions to implement a specific policy or plan; systematic and connected agency decisions allocating agency resources to implement a specific statutory program or executive directive.
- (4) Approval of specific projects, such as construction or management activities located in a defined geographic area. Projects include actions

approved by permit or other regulatory decision as well as federal and federally assisted activities.

Tiering (1508.28, 5.09c)

“Tiering” refers to a stepped approach to environmental review. General matters are covered in broader EISs (sometimes known as a “programmatic EIS”) with subsequent narrower statements or environmental analyses incorporating by reference the general discussions and concentrating solely on the issues specific to the statement subsequently prepared. Tiering is appropriate when it helps the lead agency to focus on the issues which are ripe for decision and exclude from consideration issues already decided or not yet ripe.